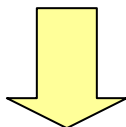
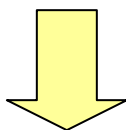


ORDER TO SHOW CAUSE**6 STEPS:**

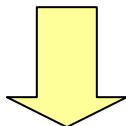
STEP 1. PICK UP THE ORDER TO SHOW CAUSE PACKET.



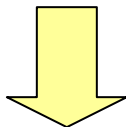
STEP 2. COMPLETE THE PAPERWORK.



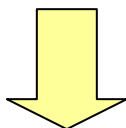
STEP 3. SUBMIT FORMS TO THE COURT FOR FILING WITH THE FILING FEES OR FEE WAIVER.



STEP 4. RETURN TO COURT TO PICK UP THE FORMS.



STEP 5. SERVE THE DOCUMENTS.



STEP 6. APPEARING IN COURT.

ORDER TO SHOW CAUSE (CONTINUED)

STEP 2. COMPLETE THE PAPERWORK.

You must file an Order to Show Cause versus a Notice of Motion in the following circumstances;

- a) You are opening a new case and serving this along with a Summons for Divorce or Paternity;
- b) You are requesting temporary orders;
- c) If there is an existing case but the other party hasn't appeared yet in that case, or
- d) You are filing this motion AFTER a JUDGMENT has been entered.

FORMS THAT MUST BE COMPLETED

- ☐ Form FL-300, **Order to Show Cause** (1 page)
- ☐ Form FL-310, **Application for Order and Supporting Documentation** (2 pages), plus:
 - ☐ Form MC-031, **Attached Declaration** (if additional space is needed)
- ☐ Form FL-105, **Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)** (use only if minor children under the age of 18 are involved) (2 pages)

Form FL-105.3c **Attachment to Declaration Under Uniform Child Jurisdiction and**

- ☐ **Enforcement Act (UCCJEA)** (1 page) [Use this form if more than 2 children are involved in this case]
- ☐ **Mediation Referral form** (only if custody or visitation orders are being requested)
- ☐ Form FL-320, **Responsive Declaration to Order to Show Cause or Notice of Motion** (2 pages) Leave blank; this is for the other party to respond to your motion.

Form FL-330, **Proof of Personal Service** (2 pages)

Family Law

Order to Show Cause (continued)

USE THE FOLLOWING FORMS ONLY IF YOU ARE REQUESTING EMERGENCY ORDERS

- ☐ Form FL-341, **Child Custody and Visitation Order Attachment** (use only if you are requesting temporary orders involving children[under the age of 18]) (1 page)
- ☐ Form FL-341(A) **Supervised Visitation Orders** (use only if you are requesting supervised visitation)
- ☐ Form FL-341(B) **Child Abduction Prevention Orders Attachment** (use only if requesting abduction prevention orders)
- ☐ Form FL-305, **Temporary Orders** (use only if requesting temporary orders) (1 page)
- ☐ Form FL-311, **Child Custody and Visitation Application Attachment** (use only if requesting temporary orders for children [under the age of 18]) (1 page)

If you are requesting orders for child support, spousal support or attorney's fees -

(You need to complete a Financial Statement if you are asking the court for support orders. You must use an Income and Expense Declaration instead if you are self-employed or seeking spousal support orders, or attorneys' fees.)

- ☐ Form FL-155, **Financial Statement (Simplified)** (2 pages); and a blank Financial Statement (Simplified) You may only use this form if you qualify – rules are on the second page of the form, otherwise use:
- ☐ Form FL-150, **Income and Expense Declaration** (4 pages); and a **blank** Income and Expense Declaration for the other party to complete. (You will also need to provide three recent pay stubs and last year's W2 if available.)

The forms can be typed or completed in **black ink**,
neatly and clearly.

ORDER TO SHOW CAUSE (CONTINUED)

STEP 3. SUBMIT FORMS TO THE COURT FOR FILING, WITH THE FILING FEES OR FEE WAIVER.

REVIEW & SUBMIT FORMS & FILING FEES TO THE CLERK:

☐ **Submit Filing Fees** unless you qualify for a “fee waiver” (*See Fee Waiver packet*):

☐ \$26 for most motions **OR ...**

☐ \$48 if your motion is to modify a child custody or visitation order.

Submit your paperwork to the clerk’s office for the Judge to review. Ask the clerk when you can pick up your papers...

☐ The Clerk will give you a court date; process your paperwork, keep the original, and will **give the filed copies back to you**.

DO THIS WITH THE COPIES:

☐ **Keep one copy** for your records.

☐ Have **the other copies served** on the other parties to your case. (*See Step 4 on the next page.*)

Family Law

Order to Show Cause (continued)

STEP 4. SERVE THE DOCUMENTS.

SERVE ORDER TO SHOW CAUSE PAPERS TO ALL PARTIES IN YOUR CASE:

You must give the Order to Show Cause and a copy of all paperwork **to all parties in the case**, including the Department of Child Support Services if it is a party to your case.

☐ Personal Service. The Order to Show Cause paperwork must be personally served to all people who are parties in the case. It **must be served at least 21 days before the hearing UNLESS ...**

☐ Service by Mail. If the Order to Show Cause is being served on a party who lives out of State, it can be mailed to the other party by certified mail, return receipt requested.

- at least **31 days** before the Motion hearing if **mailed outside California but in the US**
- at least **41 days** before the Motion hearing if **mailed outside the US**

Note: Personal Service or Service by Mail can only be done by someone other than you, who is over 18, and is not a party to the case.

HAVE THE SERVER COMPLETE THE “PROOF OF SERVICE” FORM:

The **person who serves the documents must complete and sign the Proof of Service form**, listing every document that was served (including the blank forms) to each party in the case:

☐ Form FL-330, **Proof of Personal Service** (2 pages)

Family Law

ORDER TO SHOW CAUSE (CONTINUED)

FILING THE PROOF OF SERVICE FORMS:

- ☐ Once the Order to Show Cause papers have been served on the other parties in the case, take the completed Proof of Service forms to the Family Law Clerk's Office (4th floor of the Court House) for filing.

STEP 5. APPEARING IN COURT

The Family Law hearings are held in two locations. The Court will provide you this information.

FL-300

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):</p> <p>TELEPHONE: (Optional) FAX NO: (Optional):</p> <p>EMAIL ADDRESS: (Optional):</p> <p>ATTORNEY FOR (Name):</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p> <p>PETITIONER:</p> <p>RESPONDENT:</p> <p>ORDER TO SHOW CAUSE FOR <input type="checkbox"/> MODIFICATION</p> <p><input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation <input type="checkbox"/> Injunctive Order</p> <p><input type="checkbox"/> Child Support <input type="checkbox"/> Spousal Support <input type="checkbox"/> Other (specify):</p> <p><input type="checkbox"/> Attorney Fees and Costs</p> <p>CASE NUMBER:</p>	<p>FOR COURT USE ONLY</p>
--	---------------------------

1. TO (name):

2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.

a. Date: Time: Dept.: Room:

b. The address of the court is ☐ same as noted above ☐ other (specify):

c. ☐ The parties are ordered to attend custody mediation services as follows:

3. THE COURT FURTHER ORDERS that a completed Application for Order and Supporting Declaration (form FL-310), a blank Responsive Declaration (form FL-320), and the following documents be served with this order:

a. (1) ☐ Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration

(2) ☐ Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)

(3) ☐ Completed Property Declaration (form FL-160) and a blank Property Declaration

(4) ☐ Points and authorities

(5) ☐ Other (specify):

b. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

Any responsive declaration must be served on or before (date):

c. ☐ You are ordered to comply with the temporary orders attached.

d. ☐ Other (specify):

Date: JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your incomes. Otherwise, the child support order will be based on the information supplied by the other parent. You do not have to pay any fee to file declarations in response to this order to show cause (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least ten calendar days before the hearing date.

Form Adopted for Mandatory Use
Judicial Council of California
FL-300 (Rev. January 1, 2005)

ORDER TO SHOW CAUSE

Page 1 of 1
Family Code, §§ 215, 270 et seq., 3000 et seq., 3500 et seq., 4300
www.courtinfo.ca.gov

How to fill out

ORDER TO SHOW CAUSE (FL-300)

DIRECTIONS

- Find the number on the sample form. *Example:* ①
- Go to the same number below to find out how to fill out the form.
- Type or print in black ink
- If you know the CASE NUMBER fill it in. If not known leave it blank.

- ① Write your name, address, and telephone number here.
- ② Write "Fresno" after COUNTY OF. The address is: 1100 Van Ness Ave., Fresno CA 93724-0002. The Branch Name is: Central Branch.
- ③ Write the full names (first, middle, last) of the Petitioner and the Respondent. You are the Petitioner if you have started a case. You are the Respondent if another person started a case against you.
- ④ Check all boxes that apply, or check "Other" and tell the court what you are requesting. If this is to change a current court order, check MODIFICATION in addition to other boxes you may be checking.
- ⑤ Write the name(s) of the person(s) you are taking to court.
- ⑥ DO NOT FILL THIS IN. Take this form to the downtown courthouse 4th floor for a court date.
- ⑦ Check the box if the hearing is at the address listed in ② above. If the hearing is being held somewhere else, check that box and write in the address.
- ⑧ DO NOT FILL IN.
- ⑨ DO NOT FILL IN.
- ⑩ DO NOT FILL IN
- ⑪ Do nothing here. The judge signs and dates the Order.

PETITIONER/PLAINTIFF: <div style="border: 1px solid black; width: 40px; height: 40px; margin: 10px auto; border-radius: 50%; text-align: center; line-height: 40px; font-weight: bold; font-size: 24px;">1</div> RESPONDENT/DEFENDANT	FL-310 CASE NUMBER:
--	------------------------

APPLICATION FOR ORDER AND SUPPORTING DECLARATION
(THIS IS NOT AN ORDER)

☐ **Petitioner** ☐ **Respondent** ☐ **Claimant** **requests the following orders be made:**

1. ☐ **CHILD CUSTODY** ☐ **To be ordered pending the hearing**

a. Child (name and age) b. Request custody to (name)

c. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

2. ☐ **CHILD VISITATION** ☐ **To be ordered pending the hearing**

a. ☐ Reasonable
 b. ☐ Other (specify):
 c. ☐ Child abduction prevention orders (attach form FL-312)
 d. ☐ Petitioner ☐ Respondent shall not remove the minor child or children of the parties
 (1) ☐ from the State of California (2) ☐ other (specify):

e. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

3. ☐ **CHILD SUPPORT (A Wage and Earnings Assignment Order will be issued.)**

a. Child (name and age) b. Monthly amount
 (if not by guideline)
 \$

c. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

4. ☐ **SPOUSAL SUPPORT (A Wage and Earnings Assignment Order will be issued.)**

a. ☐ Amount requested (monthly): \$
 b. ☐ Terminate existing order
 (1) filed on (date):
 (2) ordering (specify):

c. ☐ **Modify existing order**
 (1) filed on (date):
 (2) ordering (specify):

5. ☐ **ATTORNEY FEES AND COSTS** a. ☐ Fees: \$ b. ☐ Costs: \$

6. ☐ **PROPERTY RESTRAINT** ☐ **To be ordered pending the hearing**

a. The ☐ petitioner ☐ respondent ☐ claimant are restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
 ☐ and applicant will be notified at least five business days before any proposed extraordinary expenditures and an accounting of such will be made to the court.

b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties or their minor children.

c. ☐ Neither party shall incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

NOTE: TO OBTAIN DOMESTIC VIOLENCE RESTRAINING ORDERS, YOU MUST USE THE FORMS REQUEST FOR ORDER (DOMESTIC VIOLENCE PREVENTION) (FORM DV-100) AND TEMPORARY RESTRAINING ORDER (DOMESTIC VIOLENCE PREVENTION) (FORM DV-110).

Form Adopted for Mandatory Use
Judicial Council of California
FL-310 (Rev. July 1, 2002)

APPLICATION FOR ORDER AND SUPPORTING DECLARATION

Family Code, §§ 2046, 6224, 6226,
6229-6230, 6301-6303
www.courtinfo.ca.gov

How to fill out

APPLICATION FOR ORDER AND SUPPORTING DECLARATION (FL-310)

DIRECTIONS

- ▶ Find the number on the sample form.
Example: 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

- 1** Write or type in the names of the petitioner and respondent. You are the “Petitioner” if you have started a case. You are the “Respondent” if another person started a case against you.
- 2** Check the box that tells who is asking for court orders.
- 3** Check boxes if custody (who the child lives with) of a child/children should be decided. If you want custody to be decided right away, check “to be ordered pending the hearing.” Under a., write the name and age of each child. Under b., write the name of the person to have custody. Check box c. if you want to change a current custody order. Write the date the current order was filed (1) and the name of the person given custody at that time (2).
- 4** Check boxes if visiting rights should be decided. If you want visiting rights decided right away, check “to be ordered pending the hearing.” Check “reasonable” if you want the court to decide the visiting schedule. If you check “other” write exactly what you want the court to decide. If you are requesting Child Abduction Prevention orders, check 2.c. Check 2.d. if either you or the respondent should not be allowed to take the child/children out of California or other area, such as Fresno County or the United States.
- 5** Check the box if you want child support. List the name and age of each child and the monthly amount of money you want for each child. Check box 3.c. if you want to change a current child support order. Put in the date the current order was filed and give information such as the amount of the current monthly payment.
- 6** Check the box if you are asking for spousal (husband or wife) support. Check box a. and list the monthly amount of money you want. Check box b. if you want the court to end a current order. Put in the date the current order was filed and write information such as amount of current monthly payment. Check box c. if you are asking the court to change a current order. Put in the date the current order was filed and give information.
- 7** If you want the court to order the other party to pay for attorney (lawyer) fees or costs, check one or both boxes, and write in the amount(s) you are asking.
- 8** This section keeps a person from selling, hiding, or giving away property. Property can be land, homes, belongings, money, insurance policies, etc. It also keeps a person from having to pay another person’s debts (money owed) after the court order is made. Check all boxes that apply. If you want this to be decided right away, check “to be ordered pending the hearing.”

PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: 9 _____	CASE NUMBER: _____
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10 7. ☐ **PROPERTY CONTROL** ☐ **To be ordered pending the hearing**
 a. ☐ Petitioner ☐ Respondent are given the exclusive temporary use, possession, and control of the following property we own or are buying (specify): _____

b. ☐ Petitioner ☐ Respondent are ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
 Debt Amount of payment Pay to

11 8. ☐ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that they may be served no less than (specify number): _____ days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration.

12 9. ☐ OTHER RELIEF (specify): _____

13 10. ☐ FACTS IN SUPPORT of relief requested and change of circumstances for any modification are (specify):
☐ contained in the attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

14 Date: _____

 (TYPE OR PRINT NAME) (SIGNATURE OF APPLICANT)

FL-310 (Rev. July 1, 2003) **APPLICATION FOR ORDER AND SUPPORTING DECLARATION** Page 2 of 2

APPLICATION FOR ORDER (FL-310)

- page two -

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* **11**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

- 9** Write or type in the names of the petitioner and respondent.
- 10** Check the box after # 7 if you want the court to decide who will use certain property. If you want this decided right away, check “to be ordered pending the hearing.” For 7.a., check the box that applies to you, either petitioner or respondent. Describe the property in the space provided. For 7.b., check boxes if either the respondent or petitioner should make payments on any money owed during the court order. List in the space provided.
- 11** Check the box after # 8 if you want the court to order the other party served (delivered) with the documents in a shorter than normal time period (21 days by personal service or 26 days by mail). Fill in the number of days where circled. Say why you need the shorter time in (#9) below.
- 12** Check this box if you checked “Other” on the Notice of Motion or if you are asking the court to allow you to serve the documents in a shorter than normal time period (see #8 above). Write what you are asking and why in the space provided.
- 13** Check the box after # 10 and tell the court what you are requesting and why. Use the space to list facts or reasons. List dates and times starting with the most recent. If you need more space check the box next to “contained in the attached declaration” then attach an extra page with your reasons.
- 14** Date this form and print your name on the left. By signing your name on the right you are saying that everything written down is true and correct.

How to fill out

ATTACHED DECLARATION (MC-031)

DIRECTIONS

- ▶ Find the number on the sample form.
Example: ❶
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

The image shows a sample of the MC-031 form, titled "ATTACHED DECLARATION". At the top, there are two boxes: "PLAINTIFF/PETITIONER:" and "DEFENDANT/RESPONDENT:", with a circled number 1 next to the first box. Below these is a "CASE NUMBER:" box. A note states: "This form must be attached to another form or court paper before it can be filed in court." The main body of the form is a large blank area for writing, with a circled number 2 in the center. At the bottom, there is a declaration statement: "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct." Below this is a line for the date, with a circled number 3 next to it. To the right of the date line is a line for the signature, with a circled number 4 next to it. Below the signature line are three checkboxes: "Petitioner/Plaintiff", "Respondent/Defendant", and "Attorney". The form is labeled "ATTACHED DECLARATION" at the bottom center and "WEST GROUP" at the bottom right.

This form is always attached to another form or court paper. It is never filed by itself.

- ❶ Write the names of the Plaintiff/Petitioner and Defendant/Respondent.
- ❷ Use this form with FL-310, Application for Order and Supporting Documentation if you ran out of room writing your facts.
- ❸ Date the form. Type or print your name on the left. Sign your name on the right.
- ❹ Check the box that identifies you as the Petitioner/Plaintiff, or as the Respondent/Defendant.

FL-105/GC-120

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Mailing Address): <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		TELEPHONE NO.: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		FOR COURT USE ONLY	
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		STREET ADDRESS: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		MAILING ADDRESS: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>	
CITY AND ZIP CODE: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		BRANCH NAME: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>		CASE NAME: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)				CASE NUMBER: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px 0;"></div>	

1. I am a party to this proceeding to determine custody of a child.

2. ☐ Declarant's present address is not disclosed. It is confidential under Family Code section 3429. The address of children presently residing with declarant is identified on this declaration as confidential.

3. (Number): minor children are subject to this proceeding as follows:
(Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name	Place of birth	Date of birth	Sex
Period of residence to present <input type="checkbox"/> Confidential to to to to	Address Confidential Confidential Confidential Confidential	Person child lived with (name and present address) Confidential Confidential Confidential Confidential	Relationship Confidential Confidential Confidential Confidential

b. Child's name: ☐ Residence information is the same as given above for child a. (If NOT the same, provide the information below.)

Period of residence	Address	Person child lived with (name and present address)	Relationship
to present	<input type="checkbox"/> Confidential		
to			
to			
to			

c. ☐ Additional children are listed on Attachment 3c. (Provide requested information for additional children on an attachment.)

Page 1 of 2

Form Approved for Optional Use
Judicial Council of California
FL-105/GC-120 (Rev. January 1, 2003)

DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

Family Code, § 3400 et seq.
Probate Code, §§ 15100, 15112
www.courtinfo.ca.gov

How to fill out DECLARATION UNDER UNIFORM CHILD CUSTODY Jurisdiction and Enforcement Act (FL-105)

DIRECTIONS:

- ▶ Find the number on the sample form. *Example:* 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

- 1 Write your name, your mailing address, and telephone number (if any).
 - 2 If not filled in for you, put in address. Write "Fresno" after COUNTY OF.
 - 3 Write Petitioner's last name v. Respondent's last name. *Example: Smith v. Smith.* You are the "Petitioner" if you have started a case. You are the "Respondent" if another person started a case against you.
 - 4 Check this box if you do not want to write your current address for reasons of safety. Fill in the number of children from the marriage (minor children – under age 18)
 - 5 For the first child, fill in their first and last name.
 - 6 Fill in city and state the child was born in.
 - 7 The child's date of birth (month, day, year)
 - 8 If the child is a boy, write M for male. If the child is a girl, write F for female.
- For 9) through 12) give information from current (now) to later for the past 5 years:**
- 9 The beginning and ending date the child lived at the address (from when to when).
 - 10 The child's current address is at the top, then the next last place the child lived, etc. *If you do not want to write where the child lives now for safety reasons, check "confidential" and do not list address.*
 - 11 Name of person (an adult) the child lives or lived with at the addresses you list.
 - 12 Relationship means how the child is related to the adult. For example, mother or father.
 - 13 Check the box below the second child's name ("Resident information is the same ...") if the information above is the same for this child. If you check this box you do not have to complete the boxes below.
 - 14 For more children, check the box and fill out Attachment 3c.

SHORT TITLE: 16	CASE NUMBER:
------------------------	--------------

17 4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?
☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Capacity of declarant: ☐ party ☐ witness ☐ other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

18 5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child subject to this proceeding, other than that stated in item 4?
☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Nature of proceeding: ☐ dissolution or divorce ☐ guardianship ☐ adoption ☐ other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

19 6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody or visitation rights with any child subject to this proceeding?
☐ No ☐ Yes (If yes, provide the following information:)

a. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
---	---	---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **20** _____ (TYPE OR PRINT NAME) _____ (SIGNATURE OF DECLARANT)

21 7. ☐ Number of pages attached after this page:

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

FL-105/GC-120 (Rev. January 1, 2003) **DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)** Page 2 of 2

DECLARATION (FL-105)

- page two -

DIRECTIONS:

- ▶ Find the number on the sample form. *Example:* **16**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

- 16** Write Petitioner's last name v. Respondent's last name. *Example:* Smith v. Smith
- 17** Check yes if you have ever been part of any legal case (in California or anywhere else) for custody of any child in this case.
 - If you check yes, fill out a. through d.
 - "Capacity of Declarant" asks if were you part of the case, a witness (called to testify/speak about the case), or in some other way involved.
- 18** Check yes if you know something about any pending (waiting for decision) custody case involving any child in this case.
 - If yes, fill out a. through d.
 - "Nature of proceeding" means type of case.
 - In "Status of proceeding" write what is now happening.
- 19** Give information about any person (other than you or your spouse) that the child lives with now, or thinks that they have custody or visiting rights.
- 20** Type or print your name (first, middle, last) on the line to the left, sign your name on the right.
- 21** Write in the number of pages that follow this one if you used any added pages to give more information.

DECLARATION (FL-105) – Attachment 3c

Child's name		Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)				
Period of residence	Address	Person child lived with (name and present address)		Relationship
to present	<input type="checkbox"/> Confidential			
to				
to				
to				
to				
Child's name		Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)				
Period of residence	Address	Person child lived with (name and present address)		Relationship
to present	<input type="checkbox"/> Confidential			
to				
to				
to				
to				
Child's name		Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)				
Period of residence	Address	Person child lived with (name and present address)		Relationship
to present	<input type="checkbox"/> Confidential			
to				
to				
to				
to				

Attachment 3c
 Martin Dean's Essential Forms™
 DECLARATION UNDER
 UNIFORM CHILD CUSTODY JURISDICTION ACT (UCCJA)
FLFO
 MD-1503C

- 15** Use this page if there are more than 2 children. Fill out the same way you did for the first two children. Ask for more forms if needed.

How to fill out

RESPONSIVE DECLARATION TO ORDER TO SHOW CAUSE OR NOTICE OF MOTION (FL-320)

DIRECTIONS

► Leave this form blank. The other party fills out this form.

FL-320	
<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):</small> <small>TELEPHONE NO.: FAX NO.:</small> <small>ATTORNEY FOR (Name)</small> SUPERIOR COURT OF CALIFORNIA, COUNTY OF <small>STREET ADDRESS:</small> <small>MAILING ADDRESS:</small> <small>CITY AND ZIP CODE:</small> <small>BRANCH NAME:</small> <small>PETITIONER/PLAINTIFF:</small> <small>RESPONDENT/DEFENDANT:</small>	<small>FOR COURT USE ONLY</small>
RESPONSIVE DECLARATION TO ORDER TO SHOW CAUSE OR NOTICE OF MOTION	
<small>HEARING DATE:</small> <small>TIME:</small> <small>DEPARTMENT OR ROOM:</small>	<small>CASE NUMBER:</small>

1. ☐ **CHILD CUSTODY**
a. ☐ I consent to the order requested.
b. ☐ I do not consent to the order requested but I consent to the following order:

2. ☐ **CHILD VISITATION**
a. ☐ I consent to the order requested.
b. ☐ I do not consent to the order requested but I consent to the following order:

3. ☐ **CHILD SUPPORT**
a. ☐ I consent to the order requested.
b. ☐ I consent to guideline support.
c. ☐ I do not consent to the order requested, but I consent to the following order:
 (1) ☐ Guideline
 (2) ☐ Other (specify):

4. ☐ **SPOUSAL SUPPORT**
a. ☐ I consent to the order requested.
b. ☐ I do not consent to the order requested.
c. ☐ I consent to the following order:

5. ☐ **ATTORNEY FEES AND COSTS**
a. ☐ I consent to the order requested.
b. ☐ I do not consent to the order requested.
c. ☐ I consent to the following order:

Form Adopted for Mandatory Use
Judicial Council of California
FL-320 (Rev. January 1, 2003)

**RESPONSIVE DECLARATION TO ORDER TO SHOW CAUSE
OR NOTICE OF MOTION**

Page 1 of 2
www.courtinfo.ca.gov

DO NOT FILL OUT THIS FORM.
This form is filled out by the other party.

ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17430, 17436) (Name, state bar number, and address)		FL-330
1	FOR COURT USE ONLY	
TELEPHONE NO.: _____ FAX NO.: _____		
ATTORNEY FOR (Name): _____		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____		
STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
PETITIONER/PLAINTIFF: _____		
RESPONDENT/DEFENDANT: _____		
OTHER PARTY: _____		
PROOF OF PERSONAL SERVICE		CASE NUMBER

4 1. I am at least 18 years old, not a party to this action, and not a protected person listed in any of the orders.

5 2. Person served (name): _____

3. I served copies of the following documents (specify): _____

6 4. By personally delivering copies to the person served, as follows:

a. Date: _____

c. Address: _____

b. Time: _____

7 5. I am _____

a. ☐ not a registered California process server.

b. ☐ a registered California process server.

c. ☐ an employee or independent contractor of a registered California process server.

d. ☐ exempt from registration under Bus. & Prof. Code section 22350(b).

e. ☐ a California sheriff or marshal.

6. My name, address, and telephone number, and, if applicable, county of registration and number (specify): _____

8 7. ☐ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

8. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)

(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

Page 1 of 2

Form Approved for Optional Use
Judicial Council of California
FL-330 (Rev. January 1, 2010)

PROOF OF PERSONAL SERVICE

Code of Civil Procedure, § 10111
www.courtinfo.ca.gov

How to fill out

PROOF OF PERSONAL SERVICE (Family Law) FL-330

DIRECTIONS:

- ▶ Find a number on the sample form.
Example: 1
- ▶ Go to the same number below to find out how to fill out the form
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

NOTE: the person serving the papers will use this form if they personally served the papers.

- 1** Write your name, address, and telephone number.
- 2** If not filled in for you, write “Fresno” after COUNTY OF. The address is: 1100 Van Ness Ave., Fresno CA 93724-0002. The Branch Name is: Central Branch.
- 3** Write the names of the parties. You are the “Petitioner” if you started the case. You are the “Respondent” if you did not.

The rest of this form is filled out by the person who serves the party for you. You can’t serve the other party yourself. Someone who is over the age of 18 must **PERSONALLY** serve the other party. That person will complete the rest of this **PROOF OF SERVICE**.

- 4** Write the name of the person served.
- 5** Write the names and numbers of the papers served. (For example, “Notice of Motion.”)
- 6** Write in the date, address and time the papers were served.
- 7** Check box a., “not a registered California process server.”
- 8** Write the name, address and telephone number of the person who served the papers.
- 9** The person who mailed the papers will write the date at the bottom of the page, print his/her name, and sign his/her name.

INFORMATION SHEET FOR PROOF OF PERSONAL SERVICE

Use these instructions to complete the *Proof of Personal Service* (form FL-330).

A person at least 18 years of age or older must serve the documents. There are two ways to serve documents: (1) personal delivery and (2) by mail. See the *Proof of Service by Mail* (form FL-335) if the documents are being served by mail. The person who serves the documents must complete a proof of service form for the documents being served. **You cannot serve documents if you are a party to the action.**

INSTRUCTIONS FOR THE PERSON WHO SERVES THE DOCUMENTS (TYPE OR PRINT IN BLACK INK)

You must complete a proof of service for each package of documents you serve. For example, if you serve the Respondent and the Other Parent, you must complete two proofs of service, one for the Respondent and one for the Other Parent.

Complete the top section of the proof of service forms as follows:

First box, left side: In this box print the name, address, and phone number of the person for whom you are serving the documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. Use the same address for the court that is on the documents you are serving.

Third box, left side: Print the names of the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names listed on the documents you are serving.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. This number is also stated on the documents you are serving.

1. You are stating that you are over the age of 18 and that you are neither a party of this action nor a protected person listed in any of the orders.
2. Print the name of the party to whom you handed the documents.
3. List the name of each document that you delivered to the party.
4. a. Write in the date that you delivered the documents to the party.
b. Write in the time of day that you delivered the documents to the party.
c. Print the address where you delivered the documents.
5. Check the box that applies to you. If you are a private person serving the documents for a party, check box "a."
6. Print your name, address, and telephone number. If applicable, include the county in which you are registered as a process server and your registration number.
7. You must check this box if you are not a California sheriff or marshal. You are stating under penalty of perjury that the information you have provided is true and correct.
8. Do not check this box unless you are a California sheriff or marshal.

Print your name, fill in the date, and sign the form.

If you need additional assistance with this form, contact the Family Law Facilitator in your county.

PROOF OF PERSONAL SERVICE (Family Law) FL-330

- page two -

There is nothing to fill out on this page, but you should read these instructions.